

FCT - Atualização de Equipas de Investigação e Entrega de Relatório Científico 2007 | 12-11-2008 14:30:38

CEDIS - Centro de Investigação & Desenvolvimento sobre Direito e Sociedade (12-11-2008 14:29:29)

Objectives & Achievements

This part of the report will allow you to describe the way in which the Unit is organized and managed, to give the general objectives of the research within the Unit and finally to give a brief description of the main achievements of the research carried out in the Unit as a whole during the 2007 period. A maximum number of characters (without spaces) is allowed in each field. If the number of characters exceeds the maximum you will not be able to complete the form and an error message will appear when you try to save your work.

1. Unit Description (2000 ca.)

Here indicate form of organization and management.

In what concerns administrative structure, the Center is organized according to the following scheme:

- the coordination of Cedis' activities is performed by a Director elected by the Scientific Council of the School; the Director is assisted by four researchers, appointed both by himself and by the Dean of the School;
- decisions on the scientific activities of Cedis are taken by a Scientific Council composed by the whole community of its Senior members.
- the annual plan of activities is approved by the plenum of the Council, composed by the whole community of researchers, the juniors included;
- a "Consultative Board", composed by ten distinguished members of the national and international academic and scientific community, appointed by the Scientific Council of Cedis, produces a written evaluation on the main topics of Center's scientific policy; this board also approves, under the proposal of the Scientific Council, the constitution of a Permanent Evaluation Council (Conselho de Avaliação), in order to get an external validation of the Center's activities and annual reports.

Cedis shall keep a close institutional relationship not only with other research and educational units (namely those already linked to the school by protocols and special agreements (such as: "Instituto de Ciências Sociais (ICS)", "Universidad Autónoma de Madrid (UAM)", "Fundação Luso-Americana para o Desenvolvimento (FLAD)", "Fundação Calouste Gulbenkian (FCG)"), but also to public and private entities related with law and justice affairs ("Ministério do Emprego e da Segurança Social", "Instituto do Consumidor (IC)", "Centro de Estudos Judiciários (CEJ)", "Associação Protecção e Apoio à Vítima (APAV)", "Amnistia Internacional", national law firms).

2. General Objectives (3000 ca.)

This refers to the current aims of the Unit as a whole.

It has been the general aim of the Center to implement a new spirit in what concerns both the Portuguese legal research and legal teaching, a spirit guided by the following topics:

- Focusing on law in action, and not only on the formal law in the books;
- Opening to new methodologies of legal analysis (like Law and Economics, Legal Policies, Law and Social Studies, Legal discursive analysis);
- Setting up a new didactic and academic model, based on a) bi-directional communication; b) participation of students in research projects; and c) service to the community;
- Promoting internationalization, through overcoming traditional ideas on the peculiarities of each national legal order;
- Adopting new models of Faculty selection, favouring lecturing by senior professors, and, in some cases, by recognized non-academic legal experts.

Strategic goals related with this new spirit has been:

- Reflecting on new or emergent legal forms, subjects and dogmatics, both in international and Portuguese society, according to new models of social, political and cultural interactions and sensitiveness;
- Promoting inter-disciplinary work, integrating both legal and non legal approaches;
- Articulating research and teaching, namely through the involvement of students (graduate and undergraduate) in research teams;
- Broadening the frontiers of research, by establishing networks with foreign centres, namely in the framework of EU and within the Portuguese Speaking World;
- Creating and developing interfaces between research activities and community service, either as consultant of official institutions and charities or by offering communitarian services of legal aid.

3. Main Achievements during the year of 2007 (3000 ca.)

Highlights from past research over the period under evaluation.

The present report comprises research activities which were already described in the previous general report presented to the FCT during the second semester of 2007.

When Cedis was created, its main objectives were (a) to constitute supporting structures to new ways of multidisciplinary legal research; (b) to give a new coherence to the scientific achievements of the new School; (c) to develop scientific work focusing subjects to which the Faculty had a special vocation; and to organize research teams also integrated by students, so that they could be introduced in the work routines of scientific legal research. In the framework of the first objective, priority was given to the enrichment of the bibliographic and documentary tools. An investment in the School library was done in terms of acquisition of new books and journals, as well as, in the bettering of bibliographic research tools. In 2007 a new project of making available a digital library, namely of historical legal doctrine, was concluded and improved. Also as a way of promoting the use of new digital technologies, the Portuguese version of Jurist web page was developed, allowing the dissemination of legal information both for Faculty, students and the broader legal community.

In what concerned the second objective, of developing a doctrinal corpus witnessing the coherence of the academic work of the school, the Centre supported individual initiatives of publishing educational and scientific legal texts, formerly often dispersed and unrelated. Amidst these texts, a collective book on Portuguese law was published in English, aiming to reach an international audience.

Furthermore, two international Conferences were organized, in order to put in contact our own production with a wider academic audience. Additionally, a permanent Seminar on "legal and political studies" (SPEED) took place regularly in the School.

Regarding the third objective, the Centre selected amidst the projects of the Faculty, those which represented a more original and fitting scientific approach, to form a core cluster of the institutional legal research in the School. Hence, half a dozen of specific projects were particularly supported, namely by conceding grants to undergraduate students, who could therefore be initiated in research activities. This was also the way of combining scientific and pedagogic goals, according to the new spirit of Bologna charter.

Activities

This part of the report will allow you to describe general activities of the Unit that are aimed at integrating the research of various groups of which multidisciplinary and/or trans-disciplinary activities are of particular relevance. The second part is aimed to describe work that the Unit does to extend beyond the scientific environment and to reach the general public, schools or other forms of engaging the public in the work of the Unit.

1. Integrative/multidisciplinary activities during the year of 2007 (3000 ca.)

Special activities that aim to carry out research across disciplines.

The initial decision of creating a unique Centre instead of giving space to an atomistic multiplication of specialized units was a deliberate strategy of, on the one hand, gathering a sufficient critical mass of senior academic staff around an only research focus; and, on the other hand, of creating a melting pot of scientific transversal skills.

Secondly, in the constitution of the Centre, a place was given to external researchers, coming from other schools, either from our or other universities, as well as with legal or non legal background. We must stress that this attitude is very far from being common in Portuguese legal schools.

Thirdly, the combination of several levels of research personal, which was also an early decision, allowed the combination of experienced experts with post-graduate students and even young students in their first approach to research.

A concrete sign of this all embracing spirit were the SPEED Seminars, participated by all the members of the School, without discrimination, listening professors, external experts or PH. D Students.

Also in concrete projects – such as the Observatories on legislation or on the informal dispute compositions – , non legal experts, coming from other institutions, were involved, contributing to the richness of the results with their sociological or economical approaches. Also projects on legal history incorporated successfully Portuguese and foreigner general historians. Finally, the texts produced on the field of the African studies combined a large array of scientific domains, from law to political science and anthropology.

As a result of this generous openness, several students became able to a quite autonomous scientific intervention, although at their proper level.

In promoting this participation of students in research activities, the Centre developed not only their specialized knowledge but also promoted a new attitude of scientific entrepreneurship and new communicational competences, which are worthy assets to their integration in the professional life.

2. Outreach activities during the year of 2007 (3000 ca.)

Science and Society/general public/schools, etc.

The outreach activities can be systematized as follows:

- a) external availability of scientific and educational materials, namely through publications either in traditional formats or on digital platforms (books, journals, working papers in the webpage, Jurist portal, virtual library, e-learning platforms).
- b) Organization of open seminars, specialization courses and other forms of further education oriented to specific professional audiences.
- c) Research projects coping with special and relevant social issues (science of legislation, dispute resolution, mediation activities in consumer's law, formation of personnel for international organizations).
- d) Cooperation with law-firms.
- e) Counselling activities to public and private agencies.
- f) Cooperation in educational activities of other schools.

General Indicators

This section is a simple summary table describing the total number of PhD researchers within the Unit along time, as well as the total number of completed Masters and PhDs during the year of 2007

	2007
Nº of Researchers (FTE)*	24
Masters Completed in the Period	0
PhDs Completed in the Period	0

* Full Time equivalent researcher refer exclusively to PhDs. 1PhD with equal of more than 20% dedicated to research in the Unit is equal to 1.0 FTE.

Research Groups

In this last section of the report you have the names of each Research Group and the Principal Investigators that were proposed to the period 2007-2010 period. You have to confirm whether the Group was part of the Unit during 2007 or insert the Research Groups that made up the unit, if they are not present on this list. Once the table is completed each individual Research Group can start filling in their individual form by pressing on the group's name.

By following the link in the groups name you will be able to access the individual form of the group.
To remove a given group you need to select the checkbox and press "-REMOVE"(4).

Group:	Principal Investigator
Law and society in african portuguese speaking countries RG-LAW-LVT-Lisboa-714-1108	Ana Cristina Fonseca Nogueira da Silva
Discourses on law RG-LAW-LVT-Lisboa-714-1212	Cláudia Maria Salsinha Trabuço
Surveys on legal issues RG-LAW-LVT-Lisboa-714-1211	Maria de Assunção Oliveira Cristas Machado da Graça
Pedagogic innovation on legal education RG-LAW-LVT-Lisboa-714-1213	Tiago José Pires Duarte
Emerging legal and political issues RG-LAW-LVT-Lisboa-714-1210	Helena Maria Matias Pereira de Melo

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Group Description

Please confirm here the name of the group, the Host Institution in which the Principal Investigator is located, four Key words that best describe your work and finally in concise form indicate mains sources of funding for the research of your group. Include all types of funding, like FCT projects, FCT Base, as well as funding from other institutions. You should indicate an approximate amount in EUROS, and the source to which the funds apply.

1. Group Name/Designation

Law and society in african portuguese speaking countries

(RG-LAW-LVT-Lisboa-714-1108)

2. Principal Investigator

Ana Cristina Fonseca Nogueira da Silva

3. Location of Group (Host Institution)

Faculdade de Direito da Universidade Nova de Lisboa

4. Keywords

Constitutional Law | African Law; African Studie | Colonial History; Colonial L | Anthropology of Law

5. Funding, source, dates (1000 ca.)

FCT - CEDIS

2007, 2 310 Euros

FD (Law Faculty), General budget of the School

2006/2007, Secretariat, 3.434,24

PI & Researchers

In this section indicate first the PhD researchers that make up the group by selecting them from the list of researchers integrated in the Unit. In the second section you can indicate whether other PhD researchers not integrated in the Unit collaborate with group by typing their public key. Finally in the last part you should include all the non-PhDs members of the group.

1. Researchers in the Group (PhD. Only) (1)

Ana Cristina Fonseca Nogueira da Silva (Professor Auxiliar)
António Manuel Botelho Hespanha (Professor Catedrático)
Armando Manuel de Barros Serra Marques Guedes (Professor Associado)
Jorge Cláudio de Bacelar Gouveia (Professor Associado)

2. Other Researchers in the Group (PhD.) (2)

No researchers found for the Research Group ...

3. Other Researchers in the Group (non PhD.) (2)

Francisco Maria Gil Fernandes Pereira Coutinho (Assistente)

Objectives & Achievements

In this section please describe the main objectives and achievements of the group during the 2007 period . If the number of characters is more than the permitted maximum you will not be able to complete the form.

1. Objectives (2000 ca.)

The aim of this sub-project was to provide scientific infra-structures to the study of the law of Portuguese speaking countries, by compiling relevant data on both contemporary and historical lusophone African legal systems in social and political context. This includes not only the systematic collection of relevant legal texts and documents (legislation, jurisprudence, court decisions, "historical" legal data), but also material on its embeddedness in local cultural and socio-political environments. At the same time, we intended to proceed with ongoing studies on the law and politics of former Portuguese colonies, Brasil included, in order to get an overview of the post-colonial evolution of formal legal systems, namely in what concerns legal hybridism in Brazil and lusophone Africa and its role in post-colonial legal changes.

There are no systematic data bases on lusophone African legal systems in Portugal. There are very few overviews of the post-colonial evolution of such systems, and still fewer on the local legal expressions in lusophone African populations. As a result, much of what has been carried out is of great novelty.

2. Main Achievements (2000 ca.)

The present report comprises research activities which were already described in the previous general report presented to the FCT during the second semester of 2007.

A data bank containing classified documents produced by the Conselho Ultramarino (Council on Overseas Matters, 1860-1953), a central institution in the government of Portuguese colonial Empire, had been constituted, in order to get historical information about both the way Portuguese metropolitan laws were enforced in African colonies and the emergence of Portuguese colonial law. The transcription of previous selected documents of high legal value (c. 500 pages) is available in the data bank.

Within the framework of the project "Formas jurídicas do colonialismo português" a list of the whole deputies elected in the colonial territories is being made, in order to conclude a prosopographic study on that group.

Results of the activities listed above: 2 books; 1 articles in an international journal; 4 other publications; 2 papers presented in international and national scientific meetings; 1 computational application.

Productivity

This section refers to the research output of the group during the 2007. From the list provided choose the items that you want to complete and a field will appear. Follow the instructions provided in each item. You are not required to fill in all the items only those for which your group has output. Please note that for peer reviewed publication you must include impact factor and number of citations. If these indicators are not available you must include that publication as Other Publications.

Publications in peer review Journals (3000 ca.)

(Up to a max of 10. Always indicate at the end of the citation, impact factor of the journal (IF=) and number of citations (nº C=). Give title and full citation in original language. DO NOT translate)

Silva, Cristina Nogueira da, "Liberdade e tolerância religiosa: "portugueses não católicos" no Ultramar do século XIX", to be published in *Historia Constitucional, Revista Electrónica de Historia Constitucional (Electronic Journal of Constitutional History)*, <http://hc.rediris.es>, nº 8, 2007.

Other publications International (3000 ca.)

(Include only Books, chapters or full papers published in conference proceedings up to max of 10. Give title and full citation in original language)

Coutinho, Francisco Pereira, "Sobre o Sistema de Governo em Angola – Do Centralismo "Soviético" ao "Semi-Presidencialismo" Transicional ate à Adopção de um Sistema de Governo Sui Generis" (with Armando Marques Guedes), *Negócios Estrangeiros*, 11.4, 2007, pp.64 to 90.

Cristina Nogueira da Silva, "Direito e administração colonial na doutrina jurídica portuguesa (c.1906-c. 1920)", in A. M. Hespanha e Cristina Nogueira da Silva, *Fontes para a história do direito administrativo em Portugal (c. 1800-c.1910)*. DVD, Faculdade de Direito da Universidade Nova de Lisboa, 2007.

Guedes, Armando Marques, *State and Traditional Law in Angola and Mozambique*, with Maria José Lopes, Leiden University and Almedina. 2007.

Guedes, Armando Marques, *Trei Conferente, Institutul Diplomatic Roman, Bucharest, Romania*, 2007.

Gouveia, Jorge Bacelar, "A fiscalização da constitucionalidade na Constituição da República Democrática de São Tomé e Príncipe de 1990", in *Direi e Cidadania, Praia (Cabo Verde)*, ano VIII, nº 25/26, 2006/2007, pp. 101 e ss.

Guedes, Armando Marques, *O Semi-Presidencialismo e o Controlo da Constitucionalidade na África Lusófona*, número especial da *Negócios Estrangeiros* 11.4, Ministério dos Negócios Estrangeiros, Lisboa, 2007.

Patents/propotypes (2000 ca.)

Silva, Cristina Nogueira da, Hespanha, António Manuel, "Biblioteca Virtual de História do Direito Português Oitocentista" [Colonial Law Section] (www.fd.unl.pt),

Organization of conferences (2000 ca.)

Silva, Cristina Nogueira da, 2007 (Novembro), "O Código Civil nas colónias portuguesas", Colóquio Internacional Comemorativo dos 140 anos do Código Civil Português de 1867, Faculdade de Direito -Universidade Nova de Lisboa, 15-17 Novembro de 2007.

Camarinhas, Nuno; «Despachos ultramarinos: circulação de magistrados num império oceânico», on "XXVII Encontro da Associação Portuguesa de História Económica e Social", Faculdade de Economia da Universidade Nova de Lisboa, November 16th, 2007

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Group Description

Please confirm here the name of the group, the Host Institution in which the Principal Investigator is located, four Key words that best describe your work and finally in concise form indicate mains sources of funding for the research of your group. Include all types of funding, like FCT projects, FCT Base, as well as funding from other institutions. You should indicate an approximate amount in EUROS, and the source to which the funds apply.

1. Group Name/Designation

Surveys on legal issues

(RG-LAW-LVT-Lisboa-714-1211)

2. Principal Investigator

Maria de Assunção Oliveira Cristas Machado da Graça

3. Location of Group (Host Institution)

Faculdade de Direito da Universidade Nova de Lisboa

4. Keywords

Legislative evaluation | Legislative production | Law and Economics | Legal Historic Studies

5. Funding, source, dates (1000 ca.)

FCT - CEDIS

2007, 6 545,00 €

FD (Law Faculty), General budget of the School

2007, Secretariat, 3.000,00 €

PI & Researchers

In this section indicate first the PhD researchers that make up the group by selecting them from the list of researchers integrated in the Unit. In the second section you can indicate whether other PhD researchers not integrated in the Unit collaborate with group by typing their public key. Finally in the last part you should include all the non-PhDs members of the group.

1. Researchers in the Group (PhD. Only) (1)

Ana Maria Correia Rodrigues Prata (Professor Associado)
Cláudia Maria Salsinha Trabuço (Professor Auxiliar)
João Pedro Barrosa Caupers (Professor Catedrático)
José João Gordo Nunes Abrantes (Professor Associado)
Manuel António Pita (Professor Associado)
Maria de Assunção Oliveira Cristas Machado da Graça (Professor Auxiliar)
Maria Helena de Barros Brito (Professor Associado)
Maria Lúcia da Conceição Abrantes Amaral Pinto Correia (Professor Associado)
Mariana Machado França Gouveia Sande Nogueira (Professor Auxiliar)
Nuno José Cardoso da Silva Piçarra (Professor Auxiliar)
Nuno Miguel de Moraes Pestana Tarouca Camarinhas (Não aplicável (bolseiro))
Paula Ventura de Carvalho Escameia (Professor Associado)

2. Other Researchers in the Group (PhD.) (2)

No researchers found for the Research Group ...

3. Other Researchers in the Group (non PhD.) (2)

Carla Denise Campos Dias Pereira (Outra)
Frederico Augusto Gaio de Lacerda da Costa Pinto (Professor Auxiliar Convidado)
Joana Estorninho de Almeida (Outra)
Marta Maria Ginestal Tavares de Almeida (Outra)
Nuno André Cunha Silvio Casal (Outra)

Objectives & Achievements

In this section please describe the main objectives and achievements of the group during the 2007 period. If the number of characters is more than the permitted maximum you will not be able to complete the form.

1. Objectives (2000 ca.)

This project comprises five sub-projects: Non-performance to frustration of contracts (sub-project 1); Observatory of Portuguese legislation (sub-project 2); Evaluation of the Arbitration Statute (subproject 3); Regulation of Intellectual Property Licensing Contracts in Portuguese Law (sub-project 4); Judicial Practices in Early Modern Portugal (sub-project 5).

Sub-project 1 aims to clarify and assess the legal framework of non-performance of contracts in order to answer two specific questions. Does this legal framework promotes performance or, to the contrary, breach of contracts? Besides that, under an economic efficient perspective, does it or does it not fit the model of optimum social non-performance? By answering these questions we are able to assess positively the Portuguese legal framework or to propose adjustments in order to make it a true ally on social and economical development.

Considering that, nowadays, the regulation as a public policy became an important subject of interest and study and that the European Commission recommended the adoption of a Better Regulation Action Plan to all Member-States, sub-project 2 aims to develop analysis concerning the law-making methodology and procedure, namely: identify the frequency of legislative amendments – laws and decree-laws; analyze the duration of regulation procedure; identify forms of participation in the legislative procedure.

Sub-project 3 aims at evaluating the Portuguese legislation about alternative dispute resolutions methods (ARD).

Sub-project 4, based on the analysis of the underlying principles of the regulation of intellectual property licenses of use and on a carefully consideration of their practical application, intends to: identify the rules applicable to the grant of authorization to exploit the economic potential of intellectual works or simply to use the works; conclude if the present legal framework contribute protects the author's interests; if necessary, propose legislative reforms.

Sub-project 5 aims at the study of judicial practices and litigation in early modern Portugal. Two axes will be set: the professional practice of justice; the demand of justice by the different bodies that form the Portuguese society.

2. Main Achievements (2000 ca.)

The present report comprises research activities which were already described in the previous general report presented to the FCT during the second semester of 2007.

In 2007, CEDIS granted financial support to 2 FD-UNL's students to academic stays in the UN's International Law Commission. The activities they developed there were supervised by Prof. Paula Escarameia, herself a member both of our Faculty and of that Commission.

A book on Portuguese law for an English speaking audience was already published, under the title Portuguese Law – an Overview. This collective work includes chapters on Portuguese Legal History, Portuguese Legal System, Legal Studies, Constitutional Law, Fundamental Rights, Administrative Law, Tax Law, Criminal Law, Contract Law, Consumer Law, Law of Torts, Property Law, Intellectual Property Law, Family Law, Law of Successions, Commercial Law, Company Law, Labor Law, Private International Law, Civil Procedure. These chapters were written by Faculty Professors.

Results of the activities listed above: 2 books; 2 articles in international journals; 28 other publications; 36 papers presented in international and national scientific meetings; 3 scientific meetings organization.

Productivity

This section refers to the research output of the group during the 2007. From the list provided choose the items that you want to complete and a field will appear. Follow the instructions provided in each item. You are not required to fill in all the items only those for which your group has output. Please note that for peer reviewed publication you must include impact factor and number of citations. If these indicators are not available you must include that publication as Other Publications.

Publications in peer review Journals (3000 ca.)

(Up to a max of 10. Always indicate at the end of the citation, impact factor of the journal (IF=) and number of citations (nº C=). Give title and full citation in original language. DO NOT translate)

Trabuco, Cláudia, "Intellectual Property Law", in FDUNL, "Portuguese Law – An Overview, Coimbra, Almedina, 2007, pp. 215-227;

Trabuco, Cláudia, "Direito de autor, intimidade privada e ambiente digital: reflexões sobre a cópia privada de obras intelectuais", in Araucaria – Revista Iberoamericana de Filosofia, Política e Humanidades, n.º 18, Número especial "La protección de la intimidad en la Sociedad de la Información y del Conocimiento", 2007, pp. 29-55;

Other publications International (3000 ca.)

(Include only Books, chapters or full papers published in conference proceedings up to max of 10. Give title and full citation in original language)

Gouveia, Jorge Bacelar, "A Dissolução da Assembleia da República – uma nova perspectiva da Dogmática do Direito Constitucional", Livraria Almedina, Coimbra, 2007

Guedes, Armando Marques, Ligações Perigosas. Conectividade, Coordenação e Aprendizagem em Redes Terroristas, Almedina, Coimbra, 2007

Almeida, Carlos Ferreira de, Cristas, Assunção, e Piçarra, Nuno (orgs.), "Portuguese Law – An Overview", Coimbra, Almedina, 2007.

Almeida, Marta Tavares (Dir.), "Legislação. Cadernos de Ciência de Legislação", 45 (Janeiro/Março 2007), 46 (Abril/Junho 2007).

Almeida, Marta Tavares; Caupers, João; Guibentif, Pierre; Oliveira, "Observatório da Legislação Portuguesa – Boletim n.º 0", Julho 2007

Brito, Maria Helena, "Falências internacionais", Estudos em Memória do Professor Doutor José Dias Marques, Almedina, Coimbra, 2007, p. 625 a 686.

Brito, Maria Helena, "Direito aplicável ao contrato internacional de trabalho. Algumas considerações a propósito do Código do Trabalho", Estudos e Memória do Conselheiro Luís Nunes de Almeida, Coimbra, 2007, p. 105 a 143.

Brito, Maria Helena, "Private International Law", Portuguese Law. An Overview (coord. Carlos Ferreira de Almeida, Assunção Cristas, Nuno Piçarra), Coimbra, 2007, p. 286 a 303 (em colaboração com Eugénia Galvão Teles)

Brito, Maria Helena, "A Convenção da Cidade do Cabo relativa a garantias internacionais sobre equipamento móvel e o Protocolo Anexo sobre questões específicas relativas a equipamento aeronáutico", Nos 20 anos do Código das Sociedades Comerciais. Homenagem aos Profs. Doutores A Ferrer Correia, Orlando de Carvalho e Vasco Lobo Xavier, vol. III – Vária, Coimbra, Coimbra Editora, 2007, p. 447 a 501.

Coutinho, Francisco Pereira, "A aplicação do Direito da União Europeia na Ordem Jurídica Portuguesa", (with Miguel Poaires Maduro), "Em Nome de Europa, Maria Costa Lobo e Pedro Lains" (Eds.), Principia, 2007, pp. 147 to 172.

Coutinho, Francisco Pereira, "The Application of EU Law in the Portuguese Legal Order: Law in the Books and in Action" (with Miguel Poaires Maduro), Portuguese Law – An Overview, Carlos Ferreira de Almeida, Assunção Cristas e Nuno Piçarra (eds.), FDUNL, Almedina, 2007, pp. 51 to 7

Duarte, Rui Pinto, "O Penhor de Estabelecimento Comercial" in "Comemorações dos 35 Anos do Código Civil e dos 25 Anos da Reforma de 1977", vol. III, Direito das Obrigações, Faculdade de Direito da Universidade de Coimbra e Coimbra Editora, 2007 ;

Duarte, Rui Pinto, "Prestações Suplementares e Prestações Acessórias (uma Reincidência...)" in "Nos 20 Anos do Código das Sociedades Comerciais, Homenagem aos Profs. Doutores A. Ferrer Correia, Orlando de Carvalho e Vasco Lobo Xavier", Coimbra, Coimbra Editora, 2007, vol. I

Duarte, Rui Pinto, Chapters on Property Law, Company Law and Commercial Law (co-author Assunção Cristas) in "Portuguese Law – An Overview" Coimbra, Almedina, 2007

Duarte, Rui Pinto; Brito Maria Helena), "Direito Privado e Direito Comunitário Alguns Ensaios" (obra colectiva), Lisboa, Âncora, 2007

Escarameia, Paula, "O Tribunal Penal Internacional e o Crime de Agressão", na Revista Direito e Justiça, número especial, Faculdade de Direito da Universidade Católica Portuguesa, Outubro de 2007

Escarameia, Paula, "Prof. Dugard as an Innovator in the Work of the International Law Commission – The ILC Articles on Diplomatic Protection" in Leiden Journal of International Law, Special Issue in Honour of Prof. Dugard, The Protection of the Individual in International Law, Cambridge University Press, 2007

Escarameia, Paula, Co-author of "Report of the International Law Commission of the 59th session", United Nations Press, New York, Setembro de 2007

Gouveia, Jorge Bacelar, "Os serviços de informações de Portugal: organização e fiscalização, in AAVV, Estudos de Direito e

Segurança" (coordenação de Jorge Bacelar Gouveia e Rui Carlos Pereira), Almedina, Coimbra, 2007, pp. 171 e ss.

Gouveia, Jorge Bacelar, "Constitutional Law", in AAVV, Portuguese Law – an overview (ed. de Carlos Ferreira de Almeida, Assunção Cristas e Nuno Piçarra), Almedina, Coimbra, 2007, pp. 75 e ss.

Gouveia, Jorge Bacelar, "Fundamental Rights", in AAVV, Portuguese Law – an overview (ed. de Carlos Ferreira de Almeida, Assunção Cristas e Nur Piçarra), Almedina, Coimbra, 2007, pp. 89 e ss.

Gouveia, Jorge Bacelar, "Os direitos fundamentais na Constituição Portuguesa de 1976, in AAVV, Temas de Teoria da Constituição e Direitos

Fundamentais" (org. de Dirley da Cunha Júnior e Rodolfo Pamplona Filho), Editora Podium, Salvador (Brasil), 2007, pp. 139 e ss.
 Gouveia, Jorge Bacelar, "Direito Internacional Público", in AAVV, III Suplemento ao Dicionário Jurídico da Administração Pública (dir. de Jorge Bacelar Gouveia), Lisboa, 2007, pp. 314 e ss.
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 Gouveia, Jorge Bacelar, "Pessoas colectivas de utilidade pública", in AAVV, III Suplemento ao Dicionário Jurídico da Administração Pública (dir. de Jorge Bacelar Gouveia), Lisboa, 2007, pp. 560 e ss. (também publicado em Jorge Bacelar Gouveia, *Novíssimos Estudos de Direito Público*, Almedina, Coimbra, 2006, pp. 321 e ss.)
 Gouveia, Jorge Bacelar, "Procedimento legislativo", in AAVV, III Suplemento ao Dicionário Jurídico da Administração Pública (dir. de Jorge Bacelar Gouveia), Lisboa, 2007, pp. 595 e ss.
 Gouveia, Jorge Bacelar, "Tratado Internacional", in AAVV, III Suplemento ao Dicionário Jurídico da Administração Pública (dir. de Jorge Bacelar Gouveia), Lisboa, 2007, pp. 684 e ss.
 Gouveia, Jorge Bacelar, "As inconstitucionalidades do novo Regulamento da Competição Nacional da 1ª Divisão de Sêniors de Andebol Feminino", in *Desporto & Direito* – Revista Jurídica do Desporto, ano IV, nº 12, Maio-Agosto de 2007, pp. 473 e ss.
 Guedes, Armando Marques, "Linia Intai? Din sud-estul Balcanilor Asia Centrala", *Politica Internationala IX-X*: 28-73., Bucuresti, 2007.
 Tiago José Duarte Pires, "A Lei por detrás do Orçamento. A questão Constitucional da Lei do Orçamento", Coimbra, Almedina, 2007.

Organization of conferences (2000 ca.)

"50 Anos do Tratado de Roma 1957-2007 - Colóquio Evocativo dos 50 Anos do Tratado de Roma", Reitoria da Universidade Nova de Lisboa, April 19/20th, 2007.
 "Cinco Anos do Julgado de Paz de Lisboa. Uma Reflexão", Auditório da Faculdade de Direito da Universidade Nova de Lisboa, January 19 th, 2007.
 "40 Anos de vigência do Código Civil de 1966", Reitoria da Universidade Nova de Lisboa, May, 17/19th, 2007.
 Almeida, Marta Tavares, "A Contribuição da Legística para com a Política de Legislação: Concepção, Métodos e Técnicas", Congresso Internacional de Legística: Qualidade da Lei e Desenvolvimento, Assembleia Legislativa do Estado de Minas Gerais, Brasil, September 10-12th, 2007
 Almeida, Marta Tavares, "Avaliação Legislativa – Conceito, Metodologia, Análise Comparada", Curso de Legística, Faculdade de Direito da Universidade Nova de Lisboa, June 18th 2007
 Brito, Maria Helena, A aplicação no espaço do Código dos Valores Mobiliários, m 28 de Março de 2007, Faculdade de Direito da Universidade de Lisboa, March 28th 2007
 Brito, Maria Helena, Cooperação judiciária em matéria civil, "Colóquio sobre os 50 Anos do Tratado de Roma", Faculdade de Direito da Universidade Nova de Lisboa, April 19/20th 2007.
 Brito, Maria Helena, Direito Internacional Privado, "Código Civil. 40 Anos de vigência", Faculdade de Direito da Universidade Nova de Lisboa, Mau 17-19th 2007
 Brnto, Maria Helena, "Referências a direitos estrangeiros em língua portuguesa e referências ao direito português em línguas estrangeiras", Faculdade de Direito da Universidade Nova de Lisboa, "Técnicas de Expressão", October 29th 2007.
 Brito, Maria Helena, Direito Internacional Privado. Perspectivas de reforma, "Jahrestagung 2007 der Deutsch-Lusitanischen Juristenvereinigung", "40 anos Código Civil, 140 anos Código Civil de Seabra e a influência em Alemanha, Brasil e outros países lusitanos", Lisboa, Faculdade de Direito da Universidade Nova de Lisboa, November 1-3rd 2007
 Coutinho, Francisco Pereira, Set. 2007, "O Tratado de Reforma da União Europeia", Livraria Almedina, Lisboa, Instituto Português para as Relações Internacionais
 Coutinho, Francisco Pereira, Jun. 2007, II Debate Nacional sobre o Futuro da Europa, IEI, "Luzes e Sombras do Sistema Jurisdicional da UE", Fundação Calouste Gulbenkian
 Coutinho, Francisco Pereira, 4. Europaishe Juristentag, "Illegal and Legal Immigration to Portugal and Spain", Hofburg Congress Center, Viena, Áustria, May 4th 2007
 Coutinho, Francisco Pereira, March 2007 12th, "Reforma Institucional da União Europeia", Fundação Luso Americana para o Desenvolvimento, Lisboa, Instituto Português para as Relações Internacionais
 Coutinho, Francisco Pereira, Jan. 2007 10th, Curso de Política Externa Nacional do Ministério dos Negócios Estrangeiros, "Os Mistérios do Processo de Integração no plano Jurídico", Instituto de Defesa Nacional, Lisboa.
 Escaramela, Paula; Universidade de Coimbra, Departamento de Relações Internacionais, conference on UN's Reform, Coimbra, March 8th 2007.
 Escaramela, Paula; Hague Institute for the Internationalisation of Law, Haia, Holanda, talk on "Rule of Law", April 19-21th 2007.
 Escaramela, Paula; ISCTE, Departamento Autónomo de Direito, conference on "Transformação de Paradigmas no Direito Internacional Público", April 24th, 2007.
 Escaramela, Paula; ONU, Genebra, participante no debate com o Sub-Secretário Geral da ONU para Assuntos Jurídicos sobre acontecimentos recentes, relevantes para a ONU, com implicações jurídicas, May 24 th, 2007.
 Escaramela, Paula; ONU, Genebra, participante no debate com a Presidente do Tribunal Internacional de Justiça sobre a recente jurisprudência do Tribunal, July 10 th, 2007.
 Escaramela, Paula; Comité Internacional da Cruz Vermelha, Genebra, participante no debate sobre problemas actuais do Direito Internacional Humanitário, July 11 th, 2007.
 Escaramela, Paula, International Law Seminar, Genebra, conferência intitulada "The ICC: a Step Forward in International Law", July 13 th, 2007.
 Escaramela, Paula; Conselho da União Europeia, Bruxelas, COJUR (Coordenação Comunitária dos Directores dos Departamentos Jurídicos dos Ministérios dos Negócios Estrangeiros) meeting – woks summary presentation of the 59th session, Comissão de Direito Internacional da ONU (CDI) representing CDI, September 4, 5 th, 2007.
 Escaramela, Paula; Fédération International de Femmes de Carrières Juridiques, Lisboa, Sessão Solene de Abertura - apresentação da oração de saplência "A Mulher enquanto Sujeito do Direito Internacional Humanitário e dos Direitos Humanos", October 2nd, 2007.
 Escaramela, Paula; ISCS, Lisboa "Os Trabalhos da ONU", "Formação do Direito Internacional na ONU", October 24 th, 2007.
 Escaramela, Paula; Hague Institute for the Internationalization of Law, Haia, "Rule of Law in the International Context", October 25-7 th, 2007.
 Escaramela, Paula; ISCS, Debate "O Saara Ocidental - Um Timor-Leste à nossa Porta" promoted by Plataforma Internacional de Juntas por Timor-Leste, November 7 th, 2007.
 Escaramela, Paula; Assembleia da República, Conferência "O Direito Internacional Humanitário", promoted by Portuguese Red Cross, "A "Guerra" contra o Terrorismo e o Direito Internacional Humanitário", November 12 th, 2007.
 Escaramela, Paula; Instituto de Defesa Nacional, Porto, Curso Nacional de Auditores, "A Organização das Nações Unidas", December 7 th, 2007.
 Escaramela, Paula; Pro-Dignitate, Lisboa – speaker on Dia dos Direitos Humanos, "Os Direitos Humanos – Limites e Questões", December 10th, 2007.
 Escaramela, Paula; Portugal MUN (UN simulation), ISCS, Lisboa – "A Formação do Direito Internacional através das Nações Unidas", December 1 th, 2007.
 Trabuco, Cláudia, Discussant do artigo "Parties and Leader Effects: The Impact of Leaders in the Vote for Different Types of Parties", de Marina Costa Lobo, Lisbon Discussion Group on Institutions and Public Policy (FEUNL, ICS), FEUNL, January 24th, 2007.
 Trabuco, Cláudia, "Conteúdos ilícitos e responsabilidade dos prestadores de serviços na Internet", Pós-Graduação sobre Direito da Sociedade da Informação, Associação Portuguesa de Direito Intelectual, Faculdade de Direito da Universidade de Lisboa, April 24th, 2007.
 Trabuco, Cláudia, "Enquadramento jus-autoral dos serviços das bibliotecas," Seminário sobre Direito de Autor e Bibliotecas, Rede Municipal de Bibliotecas de Lisboa, Biblioteca Municipal Orlando Ribeiro, May 29th, 2007.
 Trabuco, Cláudia, moderator on a thematic session Controlo e nova cultura do acesso digital: o direito de propriedade intelectual em tempo de mudança, on the seminar "Conhecer e Preservar: para uma nova dimensão da cultura europeia no panorama digital", Ministério da Cultura, Auditório da Direcção-Geral de Arquivos (Torre do Tombo), Lisbon, September 7th, 2007.
 Trabuco, Cláudia, "O direito de autor e a disponibilização de obras ao público através das redes digitais", Seminário "Disponibilizar informação na Web: problemática e desafios", Centro Português de Fotografia, Porto, October 30th, 2007.

Internationalization (2000 ca.)

(Collaborative publication, Research, Graduate Training Networks or other forms of participation of the Research Group at the international level)

In 2007, CEDIS granted financial support to 2 FD-UNL's students to academic stays in the UN's International Law Commission. The activities they developed there were supervised by Prof. Paula Escaramela, herself a member both of our Faculty and of that Commission.

FCT - Atualização de Equipas de Investigação e Entrega de Relatório Científico 2007 | 12-11-2008 14:32:57

CEDIS - Centro de Investigação & Desenvolvimento sobre Direito e Sociedade (12-11-2008 14:29:29)

Group Description

Please confirm here the name of the group, the Host Institution in which the Principal Investigator is located, four Key words that best describe your work and finally in concise form indicate main sources of funding for the research of your group. Include all types of funding, like FCT projects, FCT Base, as well as funding from other institutions. You should indicate an approximate amount in EUROS, and the source to which the funds apply.

1. Group Name/Designation

Pedagogic innovation on legal education

(RG-LAW-LVT-Lisboa-714-1213)

2. Principal Investigator

Tiago José Pires Duarte

3. Location of Group (Host Institution)

Faculdade de Direito da Universidade Nova de Lisboa

4. Keywords

e-learning

| Digital Library

| Jurist Portugal

| Pedagogic Innovation

5. Funding, source, dates (1000 ca.)

FCT - CEDIS

2007, 2.310 €

FD (Law Faculty), General budget of the School:

2007, Secretariat, 3.000,00€

PI & Researchers

In this section indicate first the PhD researchers that make up the group by selecting them from the list of researchers integrated in the Unit. In the second section you can indicate whether other PhD researchers not integrated in the Unit collaborate with group by typing their public key. Finally in the last part you should include all the non-PhDs members of the group.

1. Researchers in the Group (PhD. Only) (1)

Ana Cristina Fonseca Nogueira da Silva (Professor Auxiliar)
António Manuel Botelho Hespanha (Professor Catedrático)
João Pedro Barrosa Caupers (Professor Catedrático)
José Manuel Lebre de Freitas (Professor Catedrático)
Rui Manuel Pinto Duarte (Professor Associado)
Tiago José Pires Duarte (Professor Auxiliar)
Vitor Alexandre Caetano Pereira das Neves (Professor Auxiliar)

2. Other Researchers in the Group (PhD.) (2)

No researchers found for the Research Group ...

3. Other Researchers in the Group (non PhD.) (2)

No researchers found for the Research Group ...

Objectives & Achievements

In this section please describe the main objectives and achievements of the group during the 2007 period. If the number of characters is more than the permitted maximum you will not be able to complete the form.

1. Objectives (2000 ca.)

This research group will carry on the development of the works already started within the framework of the research group related with the program Sources and foundational databases. Therefore, its main objectives during the period under evaluation (2003-2006) are described in the respective section of this report.

The main outcomes expected for the next three years are the following:

- 1) To create and develop a system of e-learning for the students. It is the aim of this Project to favour the application of new teaching and learning technologies, according to the spirit of Bologna charter
- 2) To develop a digital library with digital archives collecting the legal classical texts from XX th. Century
- 3) To develop the web site jurist Portugal, where legal students and professors, as well as other people, can find on line law information and data

This research group was created to inaugurate a new line of studies. Nevertheless two of the sub-projects (2) and 3)) are the development of previous ones, which were included within the framework of the research group related with the "Sources and foundational databases".

2. Main Achievements (2000 ca.)

The present report comprises research activities which were already described in the previous general report presented to the FCT during the second semester of 2007.

The conclusion and improvement of a program of digital transcription of the whole of Portuguese legal academic literature of the 19th century (Project "Arquivos Digitais do Direito e do Estado"). In the whole, more than 600 books have been digitalized and published in FDUNL's internet website (www.fd.unl.pt).

Development of Jurist Portugal's portal: its thematic legal guides were reviewed and completed, legal news were made available in an organized way and new dossiers were organised on the legal handling of themes which are being the object of intensive debated in Portuguese society (voluntary pregnancy interruption, corruption of civil servants or in public affairs and religious freedom).

Implementation, using the University's e-Learning platform, of an e-learning program comprising two graduation courses, coordinated by António Hespanha: "Direito e Pensamento Jurídico", e "História Constitucional e do Estado".

Results of the activities listed above: 2 books; 1 articles in an international journal; 4 other publications; 2 papers presented in international and national scientific meetings; 1 computational application.

Productivity

This section refers to the research output of the group during the 2007. From the list provided choose the items that you want to complete and a field will appear. Follow the instructions provided in each item. You are not required to fill in all the items only those for which your group has output. Please note that for peer reviewed publication you must include impact factor and number of citations. If these indicators are not available you must include that publication as Other Publications.

Patents/propotypes (2000 ca.)

Unist Portugal's portal (www.fd.unl.pt);
Digital Library (www.fd.unl.pt);
e-Learning Courses.

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FCT - Atualização de Equipas de Investigação e Entrega de Relatório Científico 2007 | 12-11-2008 14:36:23

CEDIS - Centro de Investigação & Desenvolvimento sobre Direito e Sociedade (12-11-2008 14:29:29)

Group Description

Please confirm here the name of the group, the Host Institution in which the Principal Investigator is located, four Key words that best describe your work and finally in concise form indicate mains sources of funding for the research of your group. Include all types of funding, like FCT projects, FCT Base, as well as funding from other institutions. You should indicate an approximate amount in EUROS, and the source to which the funds apply.

1. Group Name/Designation

Emerging legal and political issues

(RG-LAW-LVT-Lisboa-714-1210)

2. Principal Investigator

Helena Maria Matias Pereira de Melo

3. Location of Group (Host Institution)

Faculdade de Direito da Universidade Nova de Lisboa

4. Keywords

Colonialism; Postcolonialism | Legal identities; Legal discr | Children legal protection; C | Corporate Governance

5. Funding, source, dates (1000 ca.)

FCT - CEDIS

2007, 4 520,00 €

FD (Law Faculty), General budget of the School

2007, Secretariat, 3 000,00 €

PI & Researchers

In this section indicate first the PhD researchers that make up the group by selecting them from the list of researchers integrated in the Unit. In the second section you can indicate whether other PhD researchers not integrated in the Unit collaborate with group by typing their public key. Finally in the last part you should include all the non-PhDs members of the group.

1. Researchers in the Group (PhD. Only) (1)

Ana Cristina Fonseca Nogueira da Silva (Professor Auxiliar)
Helena Maria Matias Pereira de Melo (Professor Auxiliar)
Maria Constança Dias Urbano de Sousa (Professor Associado)
Maria Teresa Couceiro Pizarro Beleza (Professor Associado)

2. Other Researchers in the Group (PhD.) (2)

Maria Rita Robles Monteiro Lino Garnel (Outra)
--

3. Other Researchers in the Group (non PhD.) (2)

Jorge Manuel Lopes da Costa (Outra)
Teresa Maria de Moura Anjinho Tomás Ruivo (Assistente)

Objectives & Achievements

In this section please describe the main objectives and achievements of the group during the 2007 period. If the number of characters is more than the permitted maximum you will not be able to complete the form.

1. Objectives (2000 ca.)

To research, test and to develop legal models which can cope with new legal issues emerging in a complex and non discriminatory society where the absolute and sole State regulation is insufficient - or even ceased to exist -, is the main objective of this research group, which is divided in three sub programs: (a) minors and new communication technologies: could law protect children from Internet contents? (b) Intersexuality in Portuguese Law and (c) Sex workers (prostitution) in Portuguese Law

The main achievement expected from this two projects included in this research group to intensify legal knowledge about less protected "minorities", being their less protected status associated with age (minors), profession (sex workers) or sexual orientation (intersex minorities).

a) The sub-project (a) aims to find answers to issues related with minors' safety and privacy while using the Internet in their families' homes in Portugal. An additional purpose is to try to define if parents can be accountable by their children's Internet eventual misuse and, if so, under what circumstances, and to what extent. The main result should be a legal guide with answers to some of these questions, not yet made in Portugal, though there are already countries which, apparently, already have specific norms on the subject, such as France.

b) To research on the legal status of the so-called "Intersex", a category of people that have become more visible in Social Sciences in recent years, is the main objective of sub-program (b).

c) The objective of this subprogram is to study Portuguese Law on prostitution. We wish to study:

i) The legal regulation (or lack thereof) of prostitution in Portugal;

ii) In particular, the legal regulation in the XX century (Decree-Law 44579, 19 de September 1962 and subsequent changes in the 1982 Penal Code) and the current situation.

We also wish to take a comparative approach, in particular to consider the more extreme cases of Swedish Law, 1999, and Dutch Law as examples of criminalization (of clients) versus professionalization. The EU case law on prostitution as "economic activity without a salary" will be also looked into. Then we will consider the various perspectives and arguments about the various possible legal solutions.

2. Main Achievements (2000 ca.)

The present report comprises research activities which were already described in the previous general report presented to the FCT during the second semester of 2007.

Results of the activities listed above: 3 books; 1 article in an international journal; 1 papers presented in a national scientific meeting.

Productivity

This section refers to the research output of the group during the 2007. From the list provided choose the items that you want to complete and a field will appear. Follow the instructions provided in each item. You are not required to fill in all the items only those for which your group has output. Please note that for peer reviewed publication you must include impact factor and number of citations. If these indicators are not available you must include that publication as Other Publications.

Publications in peer review Journals (3000 ca.)

(Up to a max of 10. Always indicate at the end of the citation, impact factor of the journal (IF=) and number of citations (nº C=). Give title and full citation in original language. DO NOT translate)

Hespanha, António Manuel, "Que espaço deixa ao direito uma ética da pós-modernidade?", Themis, VII.14 (2007); versão francesa: "AMH, Le droit face à une éthique post-moderne" (a publicar em Studi in omaggio di Paolo Prodi, Bologna)

Other publications International (3000 ca.)

(Include only Books, chapters or full papers published in conference proceedings up to max of 10. Give title and full citation in original language)

Garnel, Rita, "Vítimas e violências na Lisboa da primeira República", Coimbra, Coimbra Editora-Imprensa da Universidade, 2007.

Hespanha, António Manuel, "O caleidoscópio do direito. O direito e a justiça nos dias e no mundo de hoje", Almedina Editores, 2007, 674 pp.

Melo, Helena Pereira de, "Implicações jurídicas do Projecto do Genoma Humano: constituirá a discriminação genética uma nova forma de Apartheid?", Coimbra, Almedina, 2007.

Organization of conferences (2000 ca.)

Trabuço, Cláudia, "Direito da Família: O regime das incapacidades e do suprimento das mesmas", Colóquio "Código Civil português – 40 anos de vigência", FDUNL-Jurisnova, Reitoria da UNL, May 19th, 2007.